

Staff Summary Report



Hearing Officer Hearing Date: September 4, 2007

Agenda Item Number: 9

SUBJECT: This is a public hearing for a request by the **TALEN RESIDENCE (PL070327)** located at 111 West 12th Street for one (1) use permit.

DOCUMENT NAME: 20070904dssd03

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **TALEN RESIDENCE (PL070327)** (Emily Talen, applicant/property owner) located at 111 West 12th Street in the R-2, Multi-Family Residential District for:

ZUP07109 Use permit to allow required parking in the front yard setback.

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

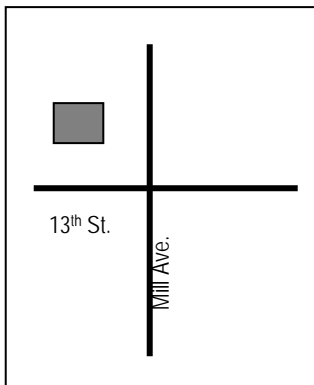
A handwritten signature in black ink, appearing to read 'SEA'.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions 1-2

ADDITIONAL INFO: The applicant is before the Hearing Officer to request a use permit to allow the required parking in the front yard setback. The applicants are proposing to enclose their single, one-car garage into additional livable space and therefore need to relocate the required parking to the front yard setback. To date, there has been no public input to the request. Staff supports the use permit as proposed in this application.



PAGES:

1. List of Attachments
2. Comments; Reason(s) for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
- 5-6. Staff Photograph(s)

COMMENTS:

The Talen Residence is before the Hearing Officer to request a use permit to allow the required parking in the front yard setback. The property is located at 111 West 12th Street in the R-2, Multi Family Residential District. The applicants are proposing to enclose their single-car garage into additional livable space and therefore need to relocate the required parking in the front yard setback. Should the use permit is approved; the property will still retain the required twenty (20) foot on-site driveway. The property has a twenty (20') foot on-site driveway (from the property line to the front of the existing carport and twenty foot -six inches (27'-6") to the front of garage door.)

To date, there has been no public input to the request. Staff supports the use permit as proposed in this application.

Use Permit

The Zoning and Development Code requires a use permit for vehicle parking located in the required front yard setback in the R-2 Multi Family Residential District.

Evaluating the use permit, the proposal appears to pass the use permit tests listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - No potential nuisances.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
 - The proposal would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding uses.

Conclusion

Staff recommends approval of the use permit, subject to the conditions of approval.

REASON(S) FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use appears to be compatible with the building, site and adjacent property.
5. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

CONDITION(S)
OF APPROVAL:

1. The use permit is valid for the plans as submitted to and approved by the Hearing Officer.
2. All required permits and clearances shall be obtained from the Building Safety Division.

HISTORY & FACTS:

Single Family Residence constructed in 1937.

DESCRIPTION:

Owner – Emily Talen
Applicant – Emily Talen
Existing Zoning – R-2, Multi-Family Residential District
Lot Size – 4,690 s.f. / .13 Acres
Building Area – 1,861 s.f.
Carport to Livable Floor Area – 325 s.f.
Proposed Total Floor Area of Home – 2,186 s.f.

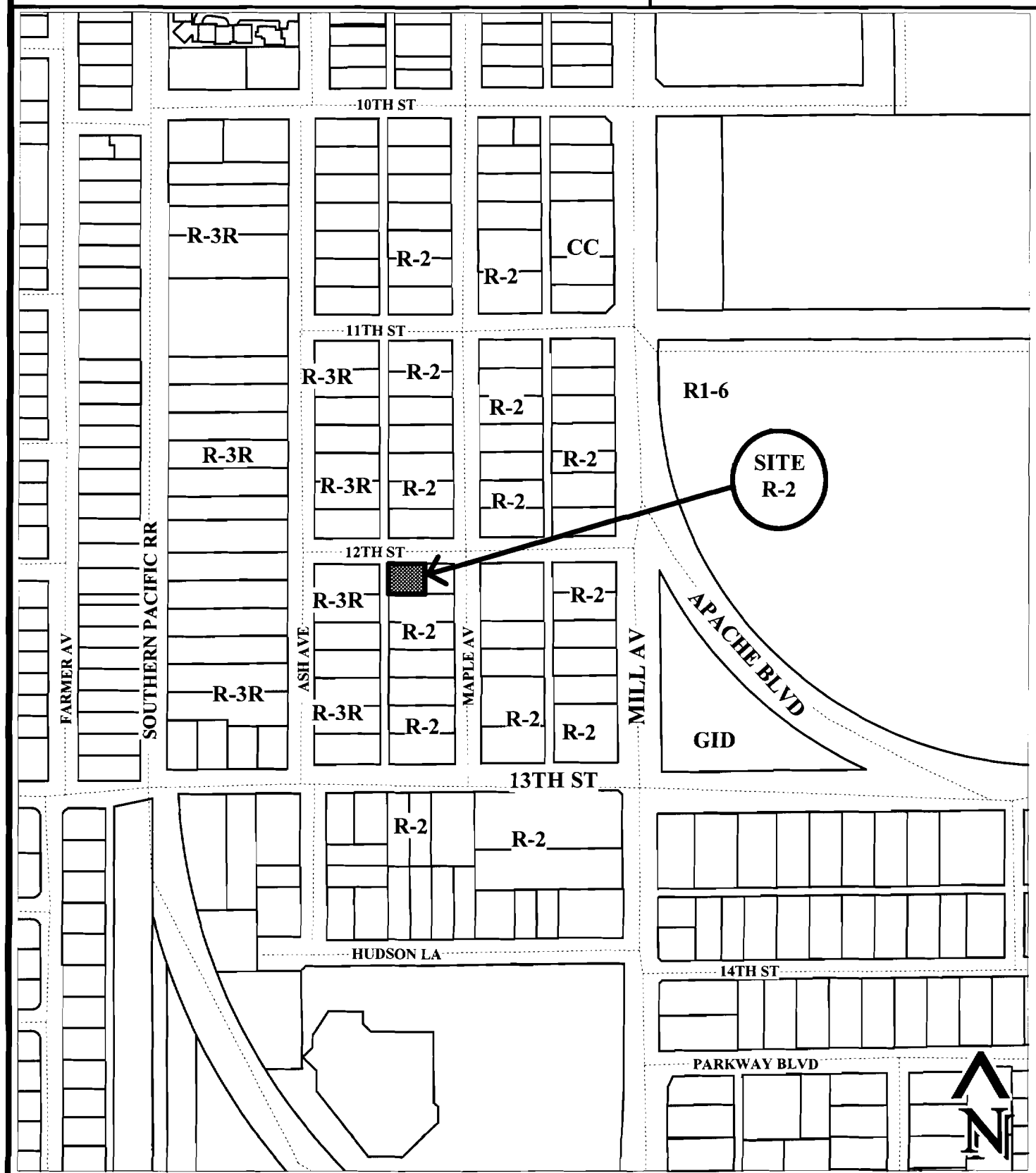
ZONING AND
DEVELOPMENT
CODE REFERENCE:

Part 4, Chapter 6, Section 4-602 (C):
Required parking spaces may be located in the required front yard setback or street side yard setback subject to a use permit.

Part 6, Chapter 3, Section 6-308
Use Permit.

TALEN RESIDENCE

PL070327



Location Map



TALEN RESIDENCE (PL070327)

July 19, 2007

City of Tempe
Development Services
31 East Fifth Street
Tempe, AZ 85280-5002
480-350-8331

Re: Letter of explanation for use permit, 111 W. 12th St.

We would like to convert our garage to livable space. We would like to place our required parking in front of the garage, under the carport, and extending into the driveway. Our specific request is to place the required parking space within the front yard setback. The exterior of the dwelling/garage will not change, except that the front garage door will be converted to a permanent wall with a front window.

This use change will not cause any change to vehicular or pedestrian traffic. It will not cause any kind of nuisance or incompatibility with surrounding structures. It will not contribute to any deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City. Note that the previous owners used the garage for storage only (not parking), and have been parking their vehicle on the driveway for many years, with no complaints from the neighbors.

Note: I believe the City of Tempe has the wrong parcel number for our lot in their system. It lists the lot as 132-45-79. Our parcel no. is 132-45-80. It is located on the alley and is not the corner lot.

Site data:

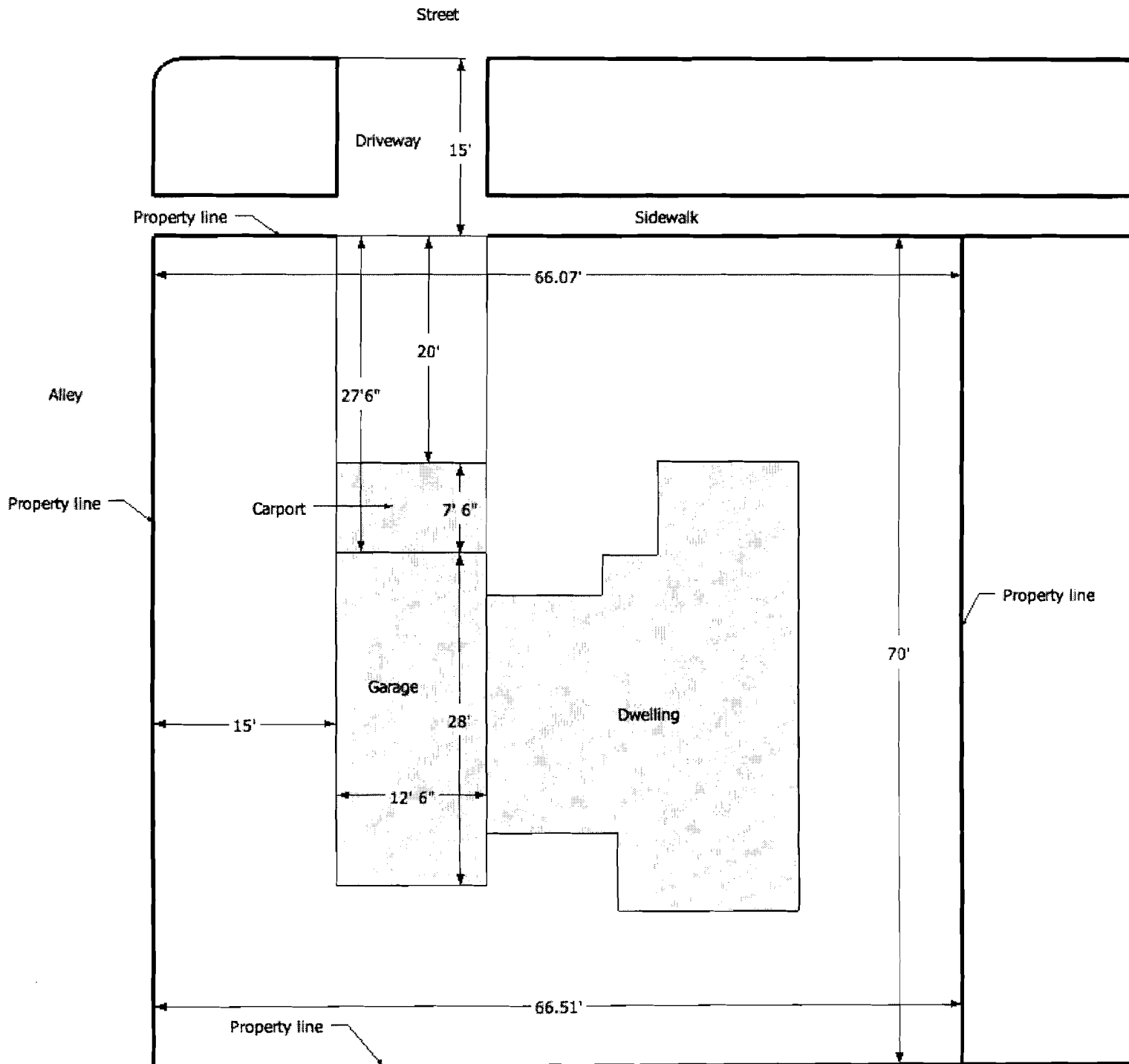
Zoning: R-2
Lot area: 4,690 sq. ft.
Existing house area: 1861 sq. ft.
Proposed conversion: 325 sq. ft.
Front setback requirement: 20 ft. for building/parking
Side setback requirement: 10 ft.
Rear setback requirement: 15 ft.

Thank you.



Emily Taler and Luc Anselin, owners
111 W. 12 St.
217-390-5951

111 W. 12th St.





TALEN RESIDENCE

111 W. 12TH ST.

PL070327

FRONT OF RESIDENCE: VIEW TO SOUTH

